## LAWYERS DISPUTE OVER FAYERWEATHER'S WILL

Hearing Before the Surrogate on Motions in Behalf of the Widow and of the Executors.

"BLACK MAILING INTO A SETTLEMENT."

Ex-Judge Arnoux Declares Himself on General Principles Against Any Such Proceedings.

There were several lawyers before Surrogate Ransom yesterday during the discussion of several motions in the contest over the will of the wealthy philanthropic leather merchant, Daniel B. Fayerweather, one being made by ex-Judge William H. Arnoux, on behalf of the executors, to have the objections interposed on the part of the widow, Lucy is. Fayerweather, made more plain and specific, and the other was a motion by Frederic R. Coudert, representing the widow, to have Executor J. L. Bulkley appointed temporary administrator of the

After hearing the elaborate argument of counsel Surrogate Ramsom denied the first motion, and as to the second said he would probably grant it, provided he considered it was necessary to appoint an administrator. The contest itself will not be heard until the latter part of this month.

Ex-Judge Arnoux, in support of his motion to have the objections of the widow made more specific, cited cases in this country, England and Ireland to show that in cases of this character a plain statement of facts should be set up in the nature of objections and not merely conclusions

He admitted that this question had never been squarely presented to the court before, and insisted that the widow should be compelled to state the persons and the times and places where undue influence was practised upon Mr. Fayerweather. He thought it strange that after she had lived with him for forty-six years she should now come forward and say that he was insane and incompetent to transact the business of making a will, or that fraud and force had been practised upon him when she was in the house at the time and knew what was going on.

CLAIMS OF THE WIDOW. Mr. Coudert in reply declared that if the effort of the widow to get a miserable share of the property of her husband, "wich whom she had lived in amicable relations for pearly fifty years," was a fishing excursion, then there were two fishing excursions before the Court. As to the merits of the motion he argued that it was unprecedented,

the motion he argued that it was unprecedented, and that the widow had followed strictly the rules of the Court in preparing the objections to the will and four codicils.

He said, among other things:—"When you see this paper, which is on its face fraudulent, you will say, 'I want to know the facts. I am bound to be satisfied." I think that is the language of the law, 'Is this truly the will of the dead man? "Is marriedly not correct in saying that on its face it is fraudulont. I will take that back. But I say that this instrument is presumably fraudu-

"I am strictly not correct in saying that on its face it is fraudulout. I will take that buck. But I say that this instrument is proxumably fraudulent. I will venture to say, as a lawyer, that I have nothing to prove. I have a right to come before you and say nere is an attorney of the Court (Mr. Ritch) who has written himself an heir by the stroke of his pen and has put one or two or three million dollars in his pooket in disregard at the natural claims of kindred and of the claims of charity. He is no blood relative.

"The influence of men in certain relations are such as to destroy the equilibrium of a well balanced mind. A man about to die is very apt to be controlled by his physician, priest, minister or a lawyer who undertakes to guide him in the disposition of his testamentary act. In all these cases the law most wisely says the presumption is against this instrument.

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"Ex-Judge Arnoux declared that all the heirs except the wildow were perfectly satisfied with the will, and that a niece who had witnessed the execution of the last codicil had testified that Mr. Fayerweather was competent to execute it. He thought it was about time that people who came in to contest wills should be compelled to show clearly their facts, in order to stop proceedings brought to blackmail parties into a settlement.

Surrogate kansom, in denying the motion, said that it was the first of the kind that had ever been presented to the Court, and while he felt that the decisions of this State were sufficient for him in deciding cases, yet the argument of counsel might very properly be presented to the Legislature for the purpose of having the statutes amended as regards the Surrogate's Court. He did not think that he was bound to follow the Righlah decisions. A course of practice had long been followed in this course of practice had long been followed in this clearly their facts, in order to top proceedings brought to blackmall parties into a settlement. Surrogate Kansom, in denying the motion, said that it was the first of the kind that had ever been presented to the Court, and while he felt that the decisions of this State were sufficient for him in deciding cases, yet the argument of counsel might very properly be presented to the Legislature for the purpose of having the statutes amended as regards the Surrogate's Court. He did not think that he was bound to follow the English decisions. A course of practice had long been followed in this State, and he intended to adhere to it and leave the responsibility to the appellate courts of changing it. As ex-Judge Arnoux said that he had no objec-

As ex-Judge Arnoux said that he had no objection to the appointment of Executor Buckley, whom he said was a man of wealth and responsibility, as temporary administrator, the Surrogate said that he would examine the application and if it was proper would probably grant it.

There were a large number of lawyers present, representing colleges and hospitals benefited under the will, among them being ex-Judge Horace Russell and John Nottman.

I asked Lawyer Frederic R. Condert yesterday aftornoon whether he knew anything about the story credited to the Rev. Dr. Lloyd as to the alleged strange doings beside Millionnaire Fayerweather's dying bed. He assured me that he had nothing to say. His associate, Mr. Holden, was equally uncommunicative.

MR. RITCR'S STATEMENT.

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Mr. RITCE's STATEMENT.

I found Lawyer Thomas G. Ritch in his office at No. 18 Wall st. His associates in the law business are ex-judge Whiliam H. Arnoux, General Stewart L. Woodford and several other good lawyers. It is charged that Mr. Ritch drew the codicil to Mr. Fayerweather's will by which he and two other men are made residuary legatees. Mr. Ritch is an elderly man, with a kindly face, long gray beard and calm blue eyes.

"Did you draw the codicil to Mr. Fayerweather's will?" I asked.

"I did not," answered Mr. Ritch. "I was not at the house for a week before Mr. EFayerweather died. I was not even present when the codicil was drawn. General Stewart L. Woodford drew it."

the house for a week before Mr. BFayerweather died. I was not even present when the codicil was drawn. General Stewart L. Woodford drew R. "Didn't you know what the codicil contained?" [aaked.
"No," was Mr. Ritch's answer.
"But had you not a general idea that it was Mr. Fayerweather's intention to devise \$3,000,000 to you and two other gentlemen, and that you were to divide the money among various colleges?"
"I had an idea of what the codicil was to be," was Mr. Ritch's answer. "I wish I could teil you more thout the codicil at this time, but I cannot. The shole truth will come out in the Surrogate's Court. Phe story that Mr. Yaughan or anybody else used indus linhuence to cause Mr. Fayerweather's bedside on the day he died because he was Mr. Fayerweather's closest business friend. I believe they were very busy together settling up Mr. Fayerweather's closest business friend. I believe they were very busy together settling up Mr. Fayerweather's business affairs. I suppose they did not think it advisable to interrupt this work to admit the Rev. Dr. Lloyd when he arrived to pray with the sick man."

"Where is Mr. Yaughan now?" I ashed. "I sm sorry I cannot tell you any more, but I am in the hands of my counsel and cannot talk much." Mr. Fayerweather's friend, Henry B. Vaughan, is in the leather business at No. 18 Forry street, and his home is in Orange, N. J. His clerks in Forry greet would not say how long it was since he had gone to Kentneky, but they were very sure he would not be back for three weeks.

The next hearing in the Fayerweather will case is set down for the 28th inst.

PREV. DR. LLOYD's visir.

I saw the Rev. Dr. Lloyd yesterday at his home, No. 253 West Seventy-first street.

"No," said he, "I have made no affidavit in the case whatever. You see, a representative of Condext Brothers called upon me last week and I toil him certain facts regarding my calling at Mr. Fayerweather's house on the day he died. He took down notes of what I said and asked me if I would so testify when called upon. I said I

Il East Fifty-seventh street, yesterday, but she declined to be seen. Her sister, however, a Miss Joyce, who claimed to represent her, said that neither her sister nor herself cared to say anything whatever upon the subject. They bad left the matter, she said, entirely with Coudert Brothers. The witnesses to the codicil were Mr. Edward M. Grout, who is employed by the law firm of Arnoux, Ritch & Woodford, a young man who is a law student in the same office, and a Miss Joyce, a cousin of the Miss Joyce before referred to.

Mr. Grout, whom I saw last evening at his residence, No. 860 Carcell street, Brooklyn, refused to say anything whatever in regard to the subject. His duty as a lawyer, he said, forbade him to speak. H.W. M. FAYERWATHER DIED.

I saw the late Mr. Fayerweather's plysician, Dr. Mans R. Vedder, last night at his home, No. 690 Madison avenue.

"On the day that Mr. Fayerweather died," he said, "I was with him from six o'clock in the evening until he passed away, a few minutes before eleven o'clock. The actual death struggle did not last more than a few minutes and I held his hands until it was finished. There were present in the room at the time besides myself. Mr. Vaughn and the butler. Mrs. Fayerwether, Miss Joyce and Mrs. Beardeley were in an adjoining room. I motioned them to retire when I saw that the end was at hand, because I thought that the acens would be a painrul one for them to witness.

"At the same time I beckened Mr. Vaughn to come in. He had not been in the bedroom previously while I was thore, although he had been in the howse all the time. I understood from some members of the family that Mr. Fayerweather didn't want to have him present, because, although he was very fond of Mr. Vaughn, Mr. Vaughn's presence, under the circumstances, would be an intimation that his death was imminent. But when I bekoned Mr. Vaughn for commitmeet, when Mr. Fayerweather signed the last rodicit to his will. I understand he did that at four o'clock."

"Wall "replied Dr. Vedder." I asked, "in your judgme

codicil to his will. I understand he did that at four o'clock."

"Was Mr. Fayerweather," I asked, "in your judgment, competent to sign such a document?"

"Weil," replied Dr. Vedder, "that is a very direct question. I suppose that I shall have to answer that question on the winness stand, but I would rather not answer that now. Whether Mr. Fayerweather was or was not competent a jury will have to decide.

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But a little later Dr. Vedder made the remark. "I don't think a man ought to be asked to sign anything when he is dying, do you?" That, when coupled with the statement which he also made in the course of the conversation, that Mr. Fayerweather was "dying all day." is significant.

I told Dr. Vedder that it had been alleged that Mr. Fayerweather's signature to the codicil didn't much resemble his ordinary signature.

"So I have been told," replied Dr. Vedder, "and it does not surprise me. Certainly at the time he signed his name he could not have been capable of writing anything but a scrawl."

Concerning the statements attributed to the Rev. Dr. Lloyd, Dr. Vedder said that he did not know that Dr. Lloyd was in the house on the evening that Mr. Fayerweather died but was not permitted to see him. He had certainly not given any directions that Dr. Lloyd should not be admitted to the chamber, for Mr. Fayerweather and Dr. Lloyd were very warm friends.

WAS SHEVITCH A SPY?

THE SOCIALIST LEADER SAID TO BE A MEMBER

OF THE DEEAD "SECRET SECTION." For more than twelve years Sergius Shevitch, a Russian of gentle birth and aristocratic education, was one of the most interesting figures in the socialistic camp of New York city. He was editor of the Volks Zeitung, the organ of the social democracy, but at the same time he allowed the anarchic leaders, such as Most, Schwab and Bruno Reinsdorf, to know that when the Western world was "ripe" enough he would be found under the red banner of the communistic Bakoumine.

He was the only socialist in the city who could atem the rage of Most, and on several occasions talked him to a "standstill." Shevitch was wedded to "Die Rothe Gräfin," the

celebrated Countess Rakowitza, with whom Ferdinand Lassalle was in love and over whom he fought his fatal duel, being killed by Yanko Rakowitza, who afterward became her husband.

A FORTUNE FOR THE CAUSE,
Some six months ago Shevitch resigned his editorial emoluments and returned to Russia. It was generally understood that he had come into a fortune of one hundred thousand rubles, and that as soon as he could convert the money into crisp

into 'sassiety.' For me his name was always Dennis,"
Most spoke kindly of his former opponent. "I do not think Shevitch sold himself to the Russian police. In the first place they know more about the movement in America than he does and would not buy him. Shevitch left the diplomatic service in Russia and coming here had to make a Hving here, so he went into socialism. When he came into his fortune he went out of business. I dare say he made his peace with the Russian government, but I do not believe he has become a spy. Liebknecht always saw a spy in every shadow. He is such a nervous old woman that they call him the 'spitzel-riecher' in Germany."
An editor of the Volks Zeitung said that none of Shevitch's friends in the city believed for a moment that he had sold his soul to the Czar, "His weakness was woman," said the editor, and we are afraid he is carding wool in Riga for some Tartar Omphale.
"A well known New York lady has started for

are arrant is carting worth a lags for some lar-ter Omphale.

"A well known New York lady has stayled for Riga in the last few days and I am arraid there will be some exciting developments soon."

Alexander Jonas said he did not believe a word against Shevitch. "I hope he will come back here soon and silence his slanderers."

ON STRICTLY PARTISAN LINES.

Never print a paid advertisement as news matter. Let every advertisement appear as an advertisement—no salling under false colors.—Charles A. Donnis Addiess to the Wacoman Editorial Association, Milanuskes, July 24, 1888. I asked Valentine Fleckenstein, who was postmaster at Rochester under President Cleveland's administration and who is the present City Treasurer, what he thought of the HERALD's candidate for Senator Evarts' successor. "All I have got to say on that subject," replied the Treasurer, "is that i am in favor of a democrat. And from the stand Mr. Dans has taken in the last two Presidential elections and is now taking on the tariff I don't think he can be classed as a democrat."

"Can he be elected?" I asked.

"My candid opinion is that he cannot," responded Mr. Fleckenstein,
"Would Hill's withdrawai elect him?"

"I do not think so."

JERSEY CITY'S NEW ACADEMY.

St. Aloysius Academy on Grand street, Jersey City, was dedicated yesterday with impressive ceremonies by Bishop Wigger, who was assisted by Fathers Hennessy, Cassidy, McDonald and Kelly, of Jersey City: Father Dunn, of Chatham; Carew, of Newark, and Tigle, of Hoboken.

The academy is a large and handsome brick structure with stone trimmings, and cost over \$75,000.

BRIDGET'S ATROCIOUS CRUELTY.

Bridget Meehan was convicted in the Hndson County Court of Sessions yesterday of atrocious assault. On Sunday, September 14, she saturated her

sault. On Sanday, September 14, she saturated her brother, Michael Grogan, with korosone oil and then set his chirt ablaze. They had had a quarrel. He was so severely burned that it was thought he was dying, and his ante-mortem statement was taken.

Mrs. Mechan in her defence averred that her brother fell on the stove. Grog in was a reluctant witness, but others proved that she had threatened him with bodily harm. The jury promptly convicted her and she was remanded for sentence.

MARKED BILLS IN HIS POCKET.

Richard B. Fosdick, a distributor in the Hoboken Post Office, was arrested while at work last even ing on a charge of robbing the mails. Marked money, mailed in a decoy letter, was found in his

ould see him be could see his pastor. However, I caited for awhile and then Judge Beardsley called.

The Judge and I stayed to dinner, after which I gain asked to be admitted to the sick chamber, at was again refused admittance. Heft the house I eight o'clock, and three hours afterward Mr. ayerweather died. I have not seen the codicil, lord of I know what went on in the sick chamber this i was in the house."

Talled on Mrs. Fayerweather at her home, No.

I called on Mrs. Fayerweather at her home, No.

## GUNS TURNED ON LIEUTENANT FARROW.

His Charges Against Men Connected Lawyers Argue For and Against Brookwith the Barnegat Park Company Denied in All Quarters.

When He Left the Presidency He Turned Over | Mayor Chapin Comes in for Some Serious His Accounts and Says They Have Not Been Questioned.

When Lieutenant E. S. Farrow, U.S.A., came to town yesterday he found everybody connected with the Barnegat Park Improvement Company in a state of fame and fret,

All these people hastened to deay the assertions of Lieutenant Farrow to the effect that funds of the company had been misappropriated by ex-President Orson Adams. The Holland Trust Company disclaimed all knowledge of any unlawful disbursement of funds of the Barnegat Park Company by Mr. Adams.

The officials of the Barnegat Park Company itself characterized Lieutenant Farrow's revelations as the merest bosh. They vehemently asserted that the accounts of Mr. Adams were all right and that Lieutenant Farrow had no exhaustive knowledge of what he was talking about when he made the charges against the ex-president of the Barnegat Park Company.

A DISSESPECTFUL CLERK. Lieutenant Farrow will be glad to hear what one of the young clerks of the Barnegat Park Company said about him yesterday. This young man admitted that he was nothing but a clerk, and yet he possessed the audacity to speak of the treasurer of

the company in terms far from respectful. "I'll bet Lieutenant Farrow," said this bright young man, "\$1,000 to his \$100 that he lies when he says that Mr. Adams used any of this company's money for his personal benefit. President Adams' accounts have been examined and he has accounted for every cent. Farrow never saw his accounts, and besides that he don't know any more about business than a baby."

When this bright young clerk saw that his announcements made little impression upon the reporters present he declared excitedly that he did not believe Lieutenant Farrow had ever made the statements attributed to him. "You reporters make up things as you go along," said he in his ingenuous way. I told the young man that Lieutenant Farrow's

lawyer, Mr. Alexander S. Bacon, had informed me that the Lieutenant had told him the selfsame story two months ago, when the treasurer of the Barnegat Park Company went to Mr. Bacon for advice about the troubles which have since been vice about the troubles which have since been made public. At this the bright young clerk of the Barnegat Fark Company, who declared in cold blood that one of his employers was a liar, became red in the face and rushed from the room.

It will be gremembered that in the report of Lieutenant Farrow's charges printed in yesterday's Henauto he said that President Adams' resignation was forced by the Holland Trust Company, which had advanced a large amount of money to the Barnegat Park Company, and now virtually controlled the latter. Lieutenant Farrow added something which has not yet been printed. He said that the Holland Trust Company had advanced from time to time \$125,000 to the Barnegat company.

company.

Lieutenant Farrow again impugned.

I called at the Holland Trust Company yesterday and saw President Robert B. Roosevelt and Secretary George W. Van Sielen. Both gantiemen spoke well of Lieutenant Farrow, but declared that the Holland Trust Company did not control the Barnegat Park Company and had not asked for Mr. Adams' resignation.

"So far as we know," said Mr. Van Sielen, "Mr. Adams' accounts are all right, and he has never abstracted a cent from the Barnegat Park Company."

abstracted a cent from the Darnogas and pany."

"Why, then, was his resignation asked for?"

"I don't know," retorted Mr. Van Sicien, "and if I did know I wouldn't tell you."

I called the attention of Mr. Boosevelt and Mr. Van Sicien to the fact that one of Mr. Adams' first acts as president of the Barnegat Improvement Company was to give a contract to the New York Improvement Company, of which Mr. James A. Simmons is general manager.

"Be careful," said Mr. Boosevelt and Mr. Van Sicien in a breath; "how do you know that Mr. Simmons has anything to do with the New York Improvement Company? We don't know him as

Simmons has anything to do with the New York Improvement Company? We don't know him as connected with that company in any way. We have never heard his name mentioned in connection with the New York Improvement Company."

Mr. Van Sielen added that the Holland Trust Company's only interest in the Barnegat Park improvement Company was a first mortgage for \$35,000 loaned the company at different times. But Lioutenant Farrow asserts that the loans amount to \$125,000. It is to be noted that the present president of the Barnegat Park Company is Mr. R. B. Roosevelt, Jr., a son of the head of the Holland Trust Company. Mr. Roosevelt, Sr., however, says that this fact has no bearing upon the relations of the two companies.

CONKLING'S CONFIDENTIAL ADMISSIONS.

M. W. Conkling, formerly president of the Barnegat Company and now its vice president, was also non-committal concerning Lieutenant Farrow's charges. He referred all inquirers to the Holland Trust Company. A property owner at Barnegat Park, Dr. J. A. Bodine by name, who came into the office while I was there, said that Mr. Conkling had told him that the funds of the company had been misappropriated.

It was said yesterday at the office of the Barnegat

office while I was there, said that Mr. Conkling had told him that the funds of the company had been misappropriated.

It was said yesterday at the office of the Barnegat Park Company that Mr. Kaufman Simon, who gave the certified check for \$1,000 to pay off the Italian laborers, held a second mortgage on about everything possessed by the Barnegat Park Company.

Mr. Orson Adams, the former president of the Barnegat Park Company, whom Lieutenant Farrow accuses of having unlawfully used the money of the company for his own benefit, said yesterday:—"I entered upon the duties of predicts of the Barnegat Park Company four months ago, and after the company had made its contract with the New York improvement Company for grading I resigned (together with Licutenant Forrow, who was the company's treasurer) on the 30th ult, for the purpose of facilitating a reorganization of the company, in which I continue to hold a large stock interest. I assisted at the election of my successor, Robert B. Rooseveit, Jr., at the same time handing over my accounts, vouchers and statements, which, I presume, have since that time been in the hands of my successor, from whom I have as yet heard nothing in derogation or their correctness.

"As to the company's transactions with the New "As the company stransactions wit

yet heard nothing in derogation of their correctness.

"As to the company's transactions with the New York Improvement Company, it is a fact that the Barnegat Park Company is indebted to the New York Improvement Company for a large sum of money, arising out of work performed at Earnegat Park in carrying out the extensive improvements which have been pushed under my management. In proof of which I may add that on December 1, 1890, the Barnegat Park Company made a morkgage to the New York Improvement Company to secure its indebtedness, which was officially attested by me as president and fleutenant Farrow as secretary.

"As Licutenant Farrow flatly denies the authorship of these reports, and in any event the facts above stated are ample and sufficient rejutation of these falschoods, I request you, in all fairness, to give this denial space in the columns of your paper. For any verification of these facts I refer you to George W. Van Sicien, or the Holland Trust Company, and E. H. Murphy, of No. 11 Wall street, counsel for the Barnegat Park Company."

NEWS NOTES FROM ROUNDABOUT.

Father Ignatius preached before a crowded congrega-tion in St. John's Episcopal Church, Youkers, yester-

Joseph Fulton Young, who shot and killed his wife at Atlantic City last September, and who was acquitted recently, was released from custedy yesterday.

Thomas Walker, of Harrison avenue, Kearny, N. J. rubbed his feet with sicohol yesterday and then held them close to the fire. The spirits were ignited and Walker's feet were badly burned.

lifton W. Tayleure, wathoatrical manager and re-sily editor of the Long Branch News, was fined \$1,000 torday at Freshold, N. J. for libelling ex-Prosecutor in E. Gaming, a Long Branch lawyer. The Pennsylvania Railroad Company's annox boat No. 4 made her first trip from Jorsey City yesterday. The run to Fulton street, Brooklyn, was made in tweive minutes. Captain John Emmons is her commander. John Cleary, foreman of the work on the elevated road om the West Shore ferry in Weebawken, was attacked r Patrick McIutyre, a laborer, yestorday. Cleary's util was fractured with a pick-axe. McIutyre was ar-

Matthew Hogan, who was shot through the lungs on Thanksgiving Day at Tronton, N.J. by Thomas O'Cal-laghan, dion yesterday. O'Callaghan is under arrea-the will claim that Hagan was cured of his wound and died of intoun

ied of Intemperance.

The Arcade Tile Works Company, which employs 200 reun at Sing Sing, is thinking of moving. It offers to tay if the 'own will promise to pay \$10,000 for ground a dumit of onlargament of the worzs. The town must lee agree not to change its name to Ossining. John Farrell, of Tranton, N. J., who some time ago was sentenced to five years' imprisonment for assaulting a six-your-dig girl, but who was out on bail pending an appeal, was arrested yesterday on a charge of assaulting another little girl. Farrell has served two terms of imprisonment for this offence.

## FLOODS OF TALK ON A DEAL IN WATER.

lyn's Proposed Purchase of That East New York Company.

ORSON ADAMS' REFUTATION. INTIMATIONS OF CROOKEDNESS.

Charges Made on Belief by Mr. Ziegler and His Counsel.

The argument on the motion of Millionnaire William Ziegler's attorney. William J. Gaynor, to make permanent the temporary injunction granted to restrain the Mayor, Comptroller and City Auditor of Brooklyn from consummating the purchase of the plant and franchise of the Long Island Water Supply Company was heard yesterday before Justice Bartlett, Supreme Court, Kings county.

Justice Bartlett said were it not that he had vet to read several of the affidavits and the briefs he would decide the motion then, but he would do so to-day or within a day or two.

The court room was crowded with lawyers dur-

ing the proceedings, which occupied nearly the entire day. It was claimed by Mr. Gaynor, the counsel for Mr. Ziegler, that the act of 1888, under which the contract to purchase was made, was unconstitutional, because it granted an exclusive



privilege to a private corporation to lay water mains and pipes in New Lots. The allegation was also made that \$1,250,000 is \$1,000,000 in excess of



also made that \$1,250,000 is \$1,000,000 in excess of the actual value of the property. It was charged that the misrepresentations made by the company deceived the city authorities.

City Works Commissioner John P. Adams' affidavit in reply to the deposition of Mr. Eausch made the day before was read by Corporation Counsel Jenks. The Commissioner set forth that Mivabeau L. Towns told him that the had information that the Water Supply Company had tapped the city mains and was drawing its water supply from the city reservoir on Ridgewood Heights. When subsequently he sought to obtain information through Mr. Towns as to where the connections were made, Mr. Rausch was called in as being a man who knew about the connections.

COULDN'T FIND THE LEAR.

DENES.

COULDN'T FIND THE LEAR.

That gentleman said he would ascertain exactly where they were. Mr. Towns asked the Commissioner why he did not go and dig and find out. He hen abandoned further effort to obtain information in the discoult.

en abandoned further value in in that direction.

In in that direction.

Superintendent Livingston, of the Water Supply suppany, deposed that the company had not resed to extend its mains where the number of inabitants would warrant the expense.

Aspended that the company, accompany, a

Rabitants would warrant the expense.

Eithu J. Granger deposed that the company, according to the Assessor's books, has twenty-nine and one-half miles of pipes. It was claimed that the company had fifty miles of pipes and mains.

Affidavits were also presented from Peter Miline and from William Ziegler in answer to Mr. Granger Affidavits were also prand from William Ziegles and to Mayor Chapin. The complainant re-affirms his previous allegations. He refers to the letter of the president of the company to the Mayor, Comptroller and Auditor, "as showing the false representing 

\$529,290 37, which is much more than double what the said plant cost."

He believes that Comptroller Jackson would not advise his friends to purchase the property for \$1,250,000. The defendant officials, he deposes, concealed their negotiations from the taxpayers.

He is informed and believes that Nevins, the Chief Engineer of the Fire Department, was connected with the sale of stock for \$70 per share, and was the person who paid for the stock and had it delivered.



from the hand of man. Nothing was said about the present value of the stock, but there was a taugle of figures to show what the property would be worth in the future.

The mains did not cover one-fourth of the territory of the Twenty-sixth ward. The city had no power to purchase under the act. Was the treasury to be looted before the Legislature was asked to extend the right of the city to exercise eminent domain?

to be looted before the Legislature was asked to extend the right of the city to exercise eminent domain?

Mr. Gaynor discussed the constitutionality of the act under which the company operated. The questions involved, he said, it conclusion, were of such importance that they ought not to be decided without an appeal to the highest court in the State, and to that court it would go if necessary.

Corporation Counsei Jenis in his reply contended that the officials had the absolute right to make the purchase whenever they could agree on the price. The acquisition of the water supply company was a matter reaconably connected with the act of annexation of New Lots. The case did not make out a waste of public funds. At present in the Twenty-sixth ward the city is compelled to pay a large sum of money for water supplied to its hydrants that it does not need. The plaintiff does not, he said, twear to a single fact in favor of his allegations. It is all based on "information and beller," which is not proof.

I have T. E. Fearsall, on behalf of the water supply company, considered the question, "Is the proposed purchase an illegal official act."

He argued that it was a perfectly proper and a lawful act. The company had its rights and privileges, which have yet many years to run, and their value may just now begin to be demonstrated.

The territory supplied by it is a great and growing one, and that must be taken into consideration in connection with the sale. It is selling to the city valuable rights from which the city would otherwise be debarred.

Mr. Jonks again spoke and reasserted that there had been no waste of public funds, no charge of wrong doing was alleged, nor was there anything in the form.

Justice Bartlett took the papers and reserved his decision.

YOUNG BROOKLYN ON SKATES. NEVER WAS THE ICE AT PROSPECT PARK BETTER

"Say, Jimmie, look at that car!" exclaimed a youngster schoolward bound in Brooklyn to his companion yesterday morning. "The ball is up and there is skating on the Park

For the remainder of the long day there was very little interest manifested in school matters by

Jimmies and Johnnies all over Brooklyn. When three o'clock came there was a hurried rush for home, a search for skates that had been

doing nothing but accumulating rust for two years past, a rapid rubbing of the tarnished steel and then Jimmie and Johnnie joined the endless pro-cession up the streets and avenues leading to the

Park.

The ice was thronged with skaters, boys and girls, young men and women, and not a few old men and women, too.

The ice was in splendid condition for skating, and the bright raiment of the many moving figures, the snow covered banks, the dark foliage of the evergreen trees and the brilliant sunshine combined to make a pretty picture.

The skates were of many varieties. There was everything in use that would carry a person over the ice.

the ice.

The policemen on duty could give no guess at the number of skaters present. As the shades of evening bogan to fall the tide of children started homeward, tired but delighted with their grand day's specific countries.

sport.
After nightfall the cars on the various lines leading to the park were overerowded with passengers. At the lake overything was as bright as day with the glare of electric lights.
The day passed without a mishap. Captain Mc-Namara and a large force of policemen kept order and looked after the safety of the visitors.

WROTH AT THE SUPERINTENDENT. OVER THREE HUNDRED EMPLOYES OF THE E. W.

Trouble similar to that which disturbs the relations of the Clark Thread Company and its employes has broken out in the establishment of the E. W. Bliss Company, Plymouth and Pearl streets,

Three hundred and forty machinists and patternnew superintendent, George Henderson, recently brought from New Jersey, is the cause of the trouble because of his arbitrary rules. Among other things he demanded that the men should work until half-past four o'clock on Saturdays. They had always knocked off at three o'clock.

At a meeting of the employes yesterday it was decided not to return to the shop unless the new superintendent was discharged or compelled to change his conduct.

A committee of employes who waited on Mr. E. W. Blias stated that he deceived them, having said that if they wished to quit work at three on Saturdays they might do so, as their time would be deducted, but when they did knock off at that hour they were locked out.

ducted, but when they did knock off at that hour they were locked out.

Mr. Blies states that his firm can hold out three or four months if necessary as there are no impor-tant contracts on hand. And there are ticket holders enough to be served,

FLATBUSH SOCIETY DISTURBED.

yesterday afternoon fixing a sum not to exceed \$29

a month to keep each schoolhouse in repair. The resolution was the result of the dilapidated condition into which many of the buildings have fallen since the mechanics employed by the Board were discharged.

James B. Bouck, a member of the Schoolhouse Committee, early in December had Superintendent of Schools Naughton deprived of the power of appointing mechanics. Then he introduced a resolution under which every one of the twenty-two mechanics employed in keeping the schoolhouses in repair were discharged. Mr. Bouck's intention was to have all the repairs given out by contract.

BURGLARY BY ELECTRIC LIGHT. Thieves broke one of the large plate glass winlows on the De Kalb avenue side of Browning, King & Co.'s clothing store on the corner of Fulton

ALL AROUND BROOKLYN.

McPlerson, in his answer, accuses her of infidelity.

Henry H. and Sarah I. Skinner, as administrators, began suit, in the Kings County Supreme Court, against the Prospect Park and Coney Island. Endroud yesterday to recover 25,000 damages for the less of their two sons, who were struck by a locometive and killed while crossing the track in Gravenend in a buggy on June 0, 1888.

While in the apartments of Joseph De Lucca, at No. 445 Marcy avenue, early yesterday morning. Robert Watt, aged twenty-six years, of No. 21 Floyd streat, was hit on the head with an axe and slightly cut. Watt quarrolled with the Italian, who attacked him. De Lucca and his wife were arrested for assault and keeping a disorderly house. Toresa Van Pleet, an immate, was also locked up, Justice Konus held them for trial.

Justice Konta held them for trial.

The woman calling horself Della Kreisheimer, who said that Philip Kreisheimer, of No. 102 Ashford street, had married her at Rockaway two years ago and accused lim of deserting her, appeared in the Lee Avanue Police Court yesterday. Justice Goetting advised her to make a charge of bigamy against Kreisheimer, but instead of doing so she disappeared and Kreisheimer was discharged. He says the woman's name is Rutledge and that they were never married.

HOBOKEN'S TAX TITLES.

The city of Hoboken has adopted the Martin act, and the property owners must now pay their taxes or forfeit their property.

There is a large sum due the city for arrears of taxes and assessments, and as it is not known who owns many of the lots in the meadow section the city has adopted the Martin act, which enables it to give a title when property is sold for taxes. Under the old law the city was the only purchaser.

Justice Knapp yesterday appointed Colonel E. A.
Stevens, Aaron S. Baldwin and Edward Russ as the
Commissioners of Adjustment under the act.

MARY ELLEN'S FORTY THEFTS.

Mary Ellen O'Calinghan, a bright English girl, eighteen years old, was committed for trial by Justice Wanser, at Jersey City, yesterday, on a

## EIGHT HUNDRED WARM IN HERALD JACKETS.

Distribution No. 4 Was as Successful as Its Predecessors, Though There Were Two Attempts at Fraud.

ANXIOUS MOTHERS.

Mrs. McElroy and Mrs. Williamson Send Pathetic Letters to Make Sure of Jackets for Their Boys-Now the Boys Are Warm as Toast.

All the boys of New York seemed somehow to have been blown into Thirteenth street yesterday morning when I looked into Pea Jacket Block. The street was filled from curb to curb with boys looking for peajackets-boys with tickets and boys

without tickets. You see there is a small mistake abroad. The mother of the ubiquitous small boy has come to the conclusion that the HERALD has started a wholesale distribution of peajackets, and that all she has to do is to send Johnnie and Mike around with a request for jackets and jackets will be

forthcoming. Now this won't do. The Herand has taken no such contract. The ne on hand is big enough, and that is to supply



with jackets, as per order of Kriss Kringle and the People, all bons fide newsboys who received and receipted for tickets for the same on Christmas Day, 1890. That's all.

goodness knows. They swooped up those stairs yes-terday like a small army. Miss Blumberg and Miss Lawler simply had to retreat. The first two ticketholders, curiously enough, were Nos. 500 and 600, Frank Dunn and Hogan, with No. 760, Thomas Bergen, a close third. They were

fitted in a trice and went away proud and happy. THESE MOTHERS HAPPY NOW.

Joseph McElroy came in tears but ticketless. He had lost his pasteboard in the hurly burly of trade

and you could almost see his heart thump out of his breast as he handed up this note from his mother:—

I told Joseph to tell the truth. He used to go to Thirtyscond street to the soup achoel, but I had to keep him
home to mind the children while I had to work. He sold
News's when he could got the money to buy them. I told
him to tell you all and maybe you would be kind enough
to give him a coat.

Mrs. MCRLEOY.

to give him a coat.

On looking through the books it was found that Joseph had a peajacket to his credit, and as his signature was all right he got the jacket.

Mrs. Williamson's three boys, from No.63 Lawrence street, Brooklyn, brought their tickets in good shape, but Mrs. Williamson was fearful in mind and sent this document to bear them company:

pany.—

I am mother of sevan children. My boys are newsboy.

Please to give them three jackets. I am all alone. My
busband went to lock for work and has not come hom.

This was nine weeks ago.

Mrs. WILLIAMSON.

This was nine weeks ago. Mrs. WILLIAMSON.
Three proud and peajacketed young Williamsons went back to Brooklyn to gladden the eyes of the rest of the seven.

OH, NO, THOMAS!

"See here, don't I come in fur one of them 'ere Herald jackets?" said Thomas Burns, flercely.
"Well, I jess guess!"
Thomas was big and burly and his breath smelled of rum. He had no Herald ticket, and was told to go. He said he wouldn't—not till he got a coat.

coat.
When Thomas regained his senses he was sitting when Indomar regained his senses he was sixting on a snow bank four fluors below.

Harry Irving asked to have payment stopped on tioket No. 642. Some one clee had got it. Pretty soon Joe Ryan turned up with it, but could not give the proper name to save him. So Harry got his jacket.

his jacket.

Two hundred happy youngsters put a ticket in the slot and out came a peck of warmth and a bushel basket of gratitude.

Two hundred more at eight A. M. to-day. Ist the good work go on.

NEWARK'S COLLISION CORNER Another collision between an electric car and a horse car occurred at the function of Springfield and South Orange avenues, Newark, yesterday. Although both cars were filled with passengers who were thrown from their seats, no one was

hurt.

The grade on both thoroughfares is steep at thi point. John Thompson, the driver of car No. 3i of the South Orange avenue line, reached the junction first, but the man in charge of electricar No. 3, of the Springfield avenue line, lost control of his car, and an instant later the car crashed together.

The hood, back platform and dashboard of the horse car were smashed and the bulkhead of the electric car was broken off.

HARRY LEVY'S EXCUSE FOR BIGAMY. Harry Levy, alias Harry Morris, a variety perormer, is in jail in Newark on a charge of bigamy. He was indicted in September, but County Detective Volk, of Newark, did not find him until Mon-

day. He was arrested at Proctor's Theatre, in Bridgeport, Conn., where he claimed to be acting as manager.

He acknowledged his guilt and said that he was drunk when he contracted the second marriage. He consented to return to Newark without a requisition. Levy was married in Newark on March 4, 1888, to Miss Kate Kenny, and on October 26, 1890, to Miss Earsh Hamwson. to Miss Sgrah Hampson

YOUNG'S CONSPIRACY CASE DELAYED.

Eugene Stevenson, counsel for Young, Torrey and Rickhardt, who were indicted for conspiracy to manufacture evidence against Mrs. William D. to manuracture evidence against Mrs. William D. Young, wife of a perfumer of this city, so that a divorce could be secured from her, asked the Court of Quarter Sessions in Paterson, N. J., yesterday for an adjournment on the ground that Torrey is lying ill in the Presbyterian liospital here.

The application was opposed by Presecutor Gourley on the ground that affidavits of the same nature had been coming in for an indefinite period, and in the meantime Mr. Torrey might die. The court postponed the trial of the case for three weeks.

NO GUARD AT THE CROSSING. Among those recently killed by the Pennsylvania Railroad trains in Jersey City was Charles Rich-

Coroner Parslow held an inquest in this case on Monday night. The jury at an early hour yesterday rendered a verdict to the effect that Richards' death was due to the negligence of the railroad company in not properly protecting its crossing.

Hichards' father, who has buried several mem-bers of his family, including his wife, within a few months, will enter suit against the railroad com-

TREATMENT OF ELBE SEAMEN.

BY TELEGRAPH TO THE HERALD. 1 TRENTON, N. J., Jan. 6, 1891 .- Secretary of State

Blaine to-day sent a communication to Governor Abbett, requesting that he investigate the complaint of a number of seamen of the steamship Elbe, of the North Gorman Lloyd line.

Secretary Blaine states that complaint has been made to the German Minister by his government, and communicated to him, that the sailors were outrageously treated in Hobokon.

In October last the steamship Elbe landed at Hobokon and the seamen had a little joilification. They say that the police of that city entered their vessel and arrested them, and that they were compelled to pay a fine before being released.

The seamen told their story on their return to Germany, and the authorities there communicated the grievance to this country.

Governor Abbett will make a thorough investing gation. Abbett, requesting that he investigate the com-

OR MORE CROWDED.

Jimmie and Johnnie and thousands of other little

BLISS COMPANY OUT OF WORK,

makers are locked out. The men claim that the new superintendent, George Henderson, recently

Flatbush society has received a shock. Mr. George Francis Morgan, a new comer re ently admitted to the Kuickerbocker Field Club, which has on its roll the names of members of the which has on its roll the names of members of the first families of Flatbush, tendered his resignation last Saturday on the ground that the "social stamina" of the ciub did not come up to his ideal. "Who is Mr. George Francis Morgan?" was the inquiry overywhere. He is in the life insurance business and is said to have been connected with the Knickerbocker Life insurance Company, which wound up its affairs some time ago. He rents a small cottage in the town.

Secretary Joel De Selding, of the Field Club, says that Mr. Morgan joined the club two months ago and had paid two months' dues, but that as a rule of the club required each member to pay a full year's dues he could not say whether Mr. Morgan's resignation would be accepted.

REPAIRS TO BROOKLYN SCHOOLS. The Brooklyn Board of Education after much discussion passed a resolution at their meeting a month to keep each schoolhouse in repair. The

street and De Kalb avenue, Brooklyn, yesterday morning and secured over \$100 worth of clothing. The robbery is considered a peculiar one from the fact that the store is at a prominent corner and is surrounded by electric lights. Besides this the firm had a private watchman guarding the prem-

ALID AROUND BROOKLYN.

After a quarrel with her husband, Anton. Mrs. Henristia Dueremberger, twenty four years old, of No. 155

Stagg street, took a dose of paris green Monday evening, with suicidal latent. Before taking the poison the wife bade her busband goodby. She will recover.

The refusal of Mrs. Nettle Allabach, who was shot in the back by William Roberts, a salcon keeper, after she had refurned to her home from a New York ball, on November 25 last, to prosecute her assailant, resulted in his discharge by Justice Goetting yesterday.

The owner of the premises in Flatbush upon which the illicit still was salzed by deputy United States marshals on Monday is John Clarke, a builder, residing on the corner of Bedford and Myrile avenues. Charke was notified yesterday to appear at the Collector's office and explain what he knows of the distillery.

Mrs. Ross E, McPherson's suit for separation from her